



AFFORDABLE CARE ACT MASSACHUSETTS IMPLEMENTATION UPDATE

December 14, 2011

Quick Links

[MA-ACA Website](#)



These Updates, published by the Executive Office of Health and Human Services (EOHHS) in consultation with the other state agencies involved in ACA implementation, will bring you news related to the implementation of provisions of the ACA here in Massachusetts.

Guidance

12/13/11 CMS issued the **final rule to implement the Consumer Operated and Oriented Plan (CO-OP) program**, which provides loans to private entities to foster the creation of consumer-governed, private, nonprofit health insurance issuers to offer qualified health plans in the health insurance exchanges. Established under §1322 of the ACA, the goal of CO-OP program is to create a new CO-OP in every state in order to expand the number of exchange health plans with a focus on integrated care and plan accountability. CO-OPs are designed to give consumers and small businesses control over their own health insurance. CO-OPs will be directed to use any profit to benefit its members, including taking action to lower premiums, improve health benefits, improve the quality of members' health care, expand enrollment, and otherwise contribute to the stability of coverage for members.

These regulations are effective February 13, 2012.

Read the final rule at: <http://www.gpo.gov/fdsys/pkg/FR-2011-12-13/pdf/2011-31864.pdf>

Read an Updated fact sheet at: <http://www.healthcare.gov/news/factsheets/2011/07/coops07182011a.html>

12/13/11 CMS filed a notice that stated that due to projected lack of funding the agency will **deny Early Retiree Reinsurance Program (ERRP) reimbursement requests that include claims that are incurred after December 31, 2011**. CMS also indicated that should the "circumstances related to the availability of ERRP funding change," the agency will issue a new notice announcing that reimbursement requests that include claims incurred after December 31, 2011 will be approved.

Read the notice at: <http://www.gpo.gov/fdsys/pkg/FR-2011-12-13/pdf/2011-31920.pdf>

The ERRP provides reimbursement to participating employment-based plans for a portion of the costs of health benefits for early retirees and early retirees' spouses, surviving spouses, and dependents.

In April 2011 CMS announced that, as of May 5, 2011, the agency was exercising its authority under §1102(f) of the ACA to stop accepting applications for the EERP, due to the availability of funds. The EERP fund was established to be available until 2014, when health insurance exchanges are operational and new rules are in effect to make it easier for older Americans to buy insurance without the help of an employer.

Congress appropriated \$5 billion for the program, but a federal report shows that \$2.9 billion in funds had been spent as of September 2011. Read the report at:

http://ccio.cms.gov/resources/files/Files%202/10132011/early_retiree_program_disbursements_posting10132011.pdf

Read the April notice at: <http://www.gpo.gov/fdsys/pkg/FR-2011-04-05/pdf/2011-7934.pdf>

For more information, visit the ERRP site at: <http://errp.gov/newspages/20110401-applications-acceptance.shtml>

Prior guidance can be viewed at: www.healthcare.gov

News

12/8/11 HHS announced that more than \$14 million has been awarded to 45 school-based health centers in 29 states across the country to increase the access of care for children under §4101 of the ACA. School-based health centers improve the overall health and wellness of children by providing health screenings, health promotion and disease prevention activities. These funds will enable health centers to expand their capacity and modernize their facilities. According to HHS, approximately 112,000 children currently get health services through a school-based clinic, and the new grants will allow the centers to serve 53,000 additional children. The ACA included about \$200 million over three years for school-based clinics and this announcement marked the second round of grants awarded from that fund. Hilltown Community Health Center, Inc. in Worthington, MA was awarded \$24,982 as a part of this initiative. Eleven Massachusetts school-based health centers received ACA funding in July 2011.

More information on the announcement is available at:

<http://www.hhs.gov/news/press/2011pres/12/20111208a.html>

EOHHS News

12/7/11 MassHealth's draft Demonstration Proposal on Integrating Medicare and Medicaid for Dual Eligible Individuals is now available for public comment. Under this proposed Demonstration authorized under ACA § 2602, MassHealth and CMS will use combined Medicare and Medicaid funding to contract with integrated care organizations to provide integrated, comprehensive care, including MassHealth and Medicare benefits, plus diversionary behavioral health benefits and additional long term services and supports.

The draft Demonstration Proposal is posted at www.mass.gov/masshealth/duals under "Related Information" and on Comm-PASS (www.comm-pass.com). Written comments must be received by EOHHS by 5 pm, January 10, 2012. Comments may be sent to: duals@state.ma.us, or mailed to:

Executive Office of Health and Human Services
Attn: Lisa Wong
One Ashburton Place, Rm. 1109
Boston, MA 02108

In addition, MassHealth will hold two public hearings about the draft Demonstration Proposal:

- December 16, 2011, 1 pm - 4 pm, Worcester Public Library, Saxe Room, 3 Salem Square, Worcester
- January 4, 2012, 10 am - 1 pm, State Transportation Building, Conference Rooms 2&3, 10 Park Place, Boston. **(Please note - this is a change from the previously announced time.)**

Upcoming Events

Quarterly Affordable Care Act Implementation Stakeholder Meeting

Wednesday, December 21, 2011 from 10 AM- 11 AM
1 Ashburton Place, 21st Floor
Boston, MA

Money Follows the Person (MFP) Waiver Topical Discussion Group

Friday, December 16, 2011 from 10:30 AM - 12 PM
France Conference Room, UMass Medical School
333 South Street
Shrewsbury, MA

Money Follows the Person Working Group

Thursday, February 2, 2012 from 2 PM - 3:30 PM
Saxe Conference Room
Worcester Public Library
3 Salem Square
Worcester, MA

Please contact MFP@state.ma.us to attend the MFP meeting and to request reasonable accommodations.

More information on MFP can be found at: [Money Follows the Person](#)

Bookmark the **Massachusetts National Health Care Reform website** at:
[National Health Care Reform](#) to read updates on ACA implementation in Massachusetts.

Remember to check the Mass.Gov website at: [Dual Eligibles](#) for information on the **"Integrating Medicare and Medicaid for Dual Eligible Individuals"** initiative.